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PATENT**Remarks**

The Office Action mailed August 14, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-10 and 12-14 are pending in this application. Claims 1-14 stand rejected. Claims 11 and 15-21 have been canceled.

In accordance with 37 C.F.R. 1.136(a), a three month extension of time is submitted herewith to extend the due date of the response to the Office Action dated August 14, 2003, for the above-identified patent application from November 14, 2003, through and including February 17, 2004. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$950 to cover this extension of time request also is submitted herewith.

The rejection of Claims 2-14 under 35 U.S.C. § 112 is respectfully traversed. Claims 2, 3, and 6-13 have been amended. Claim 14 is submitted to be correctly drafted and Applicants submit that the claim is intended to recite that "the product specification information is received from the user via a graphical user interface." For the reasons set forth above, Applicants respectfully request that the Section 112 rejections of Claims 2-14 be withdrawn.

The rejection of Claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Purcell (WO 97/44749) is respectfully traversed.

Purcell describes a method for controlling the collection, processing and dissemination of information by a host regarding product and service availability. The method includes the steps of establishing a host operated information management system on a computer. Host approved sellers of products and services are granted limited electronic access to the information management system so that the seller can access that seller's inventory information on the system for adding, amending and deleting portions of the seller's inventory information. The seller's inventory information is analyzed and assimilated

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into a buyer's listing of products and services available to potential buyers. Host approved buyers of products and services are granted limited electronic access to the system so that each approved buyer can access the buyer's listing for reviewing products and services of interest to that buyer. An approved buyer can electronically designate a product or service of interest for purchase from the buyer's listing. Purcell does not teach nor suggest a method for tracking and disseminating information concerning tools.

Claim 1 recites a "method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool comprising displaying a useful remaining life of the tool."

Purcell does not teach nor suggest a method for tracking and disseminating information concerning tools comprising displaying a useful life of the tool. Rather, Purcell describes an electronic catalog type system that contains listings of products. Purcell is silent with regard to a method step comprising displaying a useful life of a tool. Applicants respectfully disagree that it is inherent that Purcell teaches displaying a useful life of a tool. Purcell is directed to products in general. There is no description within Purcell that Purcell's method is to be used with tools. In addition, there is certainly no description within Purcell that the method of Purcell discloses displaying the useful remaining life of a tool. Accordingly, Applicants respectfully request that the Section 102 rejection of Claim 1 be withdrawn.

For the reasons set forth above, Claim 1 is submitted to be patentable over Purcell.

Claims 2-3, 5-8, 10 and 12-14 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-3, 5-8, 10 and 12-14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-3, 5-8, 10 and 12-14 likewise are patentable over Purcell.

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Claim 4 recites "A method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device comprising the step of receiving a funding request for the tool; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool."

Purcell does not describe a method that comprises receiving a funding request for the tool. Rather Purcell describes a method of controlling the collection, processing and dissemination of information regarding products. Tools are not described within Purcell and neither is receiving a funding request. Accordingly, Applicants respectfully request the Section 102 rejection of Claim 4 be withdrawn.

Claim 9 recites a "method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool comprising the step of displaying information pertaining to the process by which the tool is made."

Purcell does not describe a method that comprises displaying information pertaining to the process by which the tool is made. Rather, Purcell describes a method for controlling the collection, processing and dissemination of information. Tools are not described within Purcell and neither is displaying information pertaining to the process by which the tool is made. Accordingly, Applicants respectfully request the Section 102 rejection of Claim 9 be withdrawn.

Furthermore, Applicants respectfully submit that the Section 102(b) rejection of presently pending Claims 1-14 is not a proper rejection. As explained by the Federal Circuit, to satisfy the requirements of Section 102(b), which is generally referred to as "anticipation", each and every element of the claimed invention must be disclosed in a single prior art

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reference or embodied in a single prior art device. Verdegaal Brothers Inc. v. Union Oil Company of California, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

Purcell does not describe displaying a useful remaining life of the tool. Rather, Purcell describes the collection, processing and dissemination of information that is not directed to tools, but instead is directed merely to products.

For the reasons set forth above, Claims 1-10 and 12-14 are submitted to be patentable over Purcell.

The rejection of Claims 1-14 under 35 U.S.C. § 102(a) and 102(e) as being anticipated by Johnson (US Patent No. 6,023,683) is respectfully traversed.

Johnson describes an electronic sourcing system in which the data passed by interface 60 preferably includes the following twelve fields: vendor name, vendor number, vendor part (catalog) number, product description, bid price, list price, keyword, page number, quantity, unit, catalog text, and catalog images. Johnson does not describe a method for tracking and disseminating information concerning tools that comprises displaying a useful remaining life of a tool.

Claim 1 recites a "method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool comprising displaying a useful remaining life of the tool."

Johnson does not teach nor suggest a method for tracking and disseminating information concerning tools comprising displaying a useful life of the tool. Rather, Johnson describes an electronic sourcing system that contains listings of products. Johnson is silent with regard to a method step comprising displaying a useful life of a tool. There is no description within Johnson that Johnson's method is to be used with tools. In addition, there is certainly no description within Johnson that the method of Johnson discloses displaying the

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useful remaining life of a tool. Accordingly, Applicants respectfully request that the Section 102(a) and 102(e) rejection of Claim 1 be withdrawn.

For the reasons set forth above, Claim 1 is submitted to be patentable over Johnson.

Claims 2-3, 5-8, 10 and 12-14 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-3, 5-8, 10 and 12-14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-3, 5-8, 10 and 12-14 likewise are patentable over Johnson.

Claim 4 recites "A method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device comprising the step of receiving a funding request for the tool; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool."

Johnson does not describe a method that comprises receiving a funding request for the tool. Rather Johnson describes a method of controlling the collection, processing and dissemination of information regarding products. Tools are not described within Johnson and neither is receiving a funding request. Accordingly, Applicants respectfully request the Section 102 rejection of Claim 4 be withdrawn.

Claim 9 recites a "method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool comprising the step of displaying information pertaining to the process by which the tool is made."

Johnson does not describe a method that comprises displaying information pertaining to the process by which the tool is made. Rather, Johnson describes a method for controlling

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the collection, processing and dissemination of information. Tools are not described within Johnson and neither is displaying information pertaining to the process by which the tool is made. Accordingly, Applicants respectfully request the Section 102 rejection of Claim 9 be withdrawn.

Furthermore, Applicants respectfully submit that the Section 102(b) rejection of presently pending Claims 1-14 is not a proper rejection. As explained by the Federal Circuit, to satisfy the requirements of Section 102(b), which is generally referred to as "anticipation", each and every element of the claimed invention must be disclosed in a single prior art reference or embodied in a single prior art device. Verdegaal Brothers Inc. v. Union Oil Company of California, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

Johnson does not describe displaying a useful remaining life of the tool. Rather, Johnson describes the collection, processing and dissemination of information that is not directed to tools, but instead is directed merely to products.

For the reasons set forth above, Claims 1-10 and 12-14 are submitted to be patentable over Johnson.

The rejection of Claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Purcell is respectfully traversed.

Purcell is described above and Claim 1 is recited above.

As explained above, Purcell does not teach nor suggest a method for tracking and disseminating information concerning tools comprising displaying a useful life of the tool. Rather, Purcell describes an electronic catalog type system that contains listings of products. Purcell is silent with regard to a method step comprising displaying a useful life of a tool. The Examiner takes Official Notice that tools are sold over the Internet from sellers to buyers. The Examiner also takes Official Notice that funding requests, the process by which the tools is made, the name of the plant where the tool is manufactured, the remaining life of the tool, and the condition of the tool are all items commonly found in supplier catalogs.

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Applicants respectfully traverse the assertion of Official Notice and request the Examiner to provide documentary evidence if this rejection is maintained.

For the reasons set forth above, Claim 1 is submitted to be patentable over Purcell.

Claims 2-3, 5-8, 10 and 12-14 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-3, 5-8, 10 and 12-14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-3, 5-8, 10 and 12-14 likewise are patentable over Purcell.

Claim 4 recites "A method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device comprising the step of receiving a funding request for the tool; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool."

Purcell does not describe a method that comprises receiving a funding request for the tool. Rather Purcell describes a method of controlling the collection, processing and dissemination of information regarding products. Tools are not described within Purcell and neither is receiving a funding request. Accordingly, Applicants respectfully request the Section 103(a) rejection of Claim 4 be withdrawn.

Claim 9 recites a "method for tracking and disseminating information concerning tools using a network-based system including a server and at least one device connected to the server via a network, said method comprising the steps of: receiving information concerning the tool from a user via the device; comparing the received product specification information with pre-stored information on tools; and displaying information related to the tool comprising the step of displaying information pertaining to the process by which the tool is made."

Purcell does not describe a method that comprises displaying information pertaining to the process by which the tool is made. Rather, Purcell describes a method for controlling

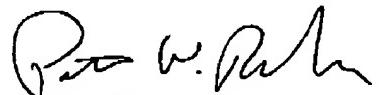
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the collection, processing and dissemination of information. Tools are not described within Purcell and neither is displaying information pertaining to the process by which the tool is made. Accordingly, Applicants respectfully request the Section 103(a) rejection of Claim 9 be withdrawn.

For the reasons set forth above, Claims 1-10 and 12-14 are submitted to be patentable over Johnson.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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